Environmental Protection Agency § 80.215

(3) The sulfur content of each batch of gasoline produced by blending blendstock into TGP must be no greater than the downstream sulfur standard under §80.210 or §80.220 applicable to the designation of the TGP; and

(4) Gasoline produced by blending blendstock into TGP must be properly identified on product transfer documents in accordance with the provisions of §80.210 or §80.220, as applicable.

(e) Any transmix blender who produces gasoline by blending transmix, or mixtures of gasoline and distillate fuel described in §80.84(e), into previously certified gasoline under §80.84(d) must meet the applicable downstream sulfur standards under §80.210 or §80.220 for the gasoline produced by blending transmix and previously certified gasoline.

(f) Any transmix processor or transmix blender who adds feedstocks to their transmix other than gasoline, distillate fuel, or gasoline blendstocks from pipeline interface must meet all requirements and standards that apply to a refiner under subpart H of this part, other than §80.213, for all gasoline they produce during a compliance period.

§ 80.214 [Reserved]

GEOGRAPHIC PHASE-IN PROGRAM

§ 80.215 What is the scope of the geographic phase-in program?

(a) Geographic phase-in area. (1) The following states comprise the geographic phase-in area (GPA) subject to the provisions of the geographic phase-in program: North Dakota, Montana, Idaho, Wyoming, Utah, Colorado, New Mexico, and Alaska.

(2) In addition, the following counties within the states identified in paragraph (a)(2)(i) of this section and the following Federal Indian reservations in paragraph (a)(2)(ii) of this section are included in the GPA:

(i) The list of counties follows:

Arizona

Apache
Coconino
Gila

Greenlee
Navajo

Nebraska

Banner
Box Butte
Cheyenne
Dawes
Deuel
Garden
Keith
Kimball
Morrill
Scotts Bluff
Sheridan
Sioux

Nevada

Elko
Eureka
Humboldt
Lander
Lincoln
White Pine

Oregon

Baker
Crook
Giliam
Grant
Harney
Malheur
Morrow
Sherman
Umatilla
Union
Wallowa
Wheeler

South Dakota

Bennett
Butte
Corson
Custer
Dewey
Fall River
Haakon
Harding
Jackson
Jones

Lawrence
Meade
Mellette
Pennington
Perkins
Shannon
Stanley
Todd
Ziebach

Washington

Adams
Asotin
Benton
Chelan
Columbia
Douglas
Ferry
Franklin
Garfield
Grant

Kittitas
Klickitat
Lincoln
Okanogan
Pend Oreille
Spokane
Stevens
Walla Walla
Whitman
Yakima


(3) Contiguous tribal reservations of a particular tribe are included in the GPA if a portion of the tribal reservation is within the GPA state or county.

(4) Any dispensing facility located partially within a GPA county or tribal reservation land shall be considered fully within the GPA for purposes of this program.

[71 FR 31963, June 2, 2006]
§ 80.216  What standards apply to gasoline produced or imported for use in the GPA?

(a) The refinery or importer annual average sulfur standard for gasoline produced or imported for use in the geographic phase-in area under §80.215, and designated as GPA gasoline under §80.219(a), shall be 150.00 ppm.

(b) The per-gallon cap standard for gasoline produced or imported for use in the GPA under paragraph (a) of this section shall be 300 ppm, except as specified in §80.195(d).

(c) The refinery or importer annual average sulfur level is calculated in accordance with the provisions of §80.205.

(d) The refinery or importer annual average standard under paragraph (a) of this section may be met using sulfur allotments or credits as provided under §§80.275 and 80.315.

(e) Gasoline produced by approved small refineries subject to the standards under §80.240 is not subject to the standards under paragraphs (a) and (b) of this section.

(f) A refiner or importer whose gasoline production or volume of imported gasoline in 2004 or 2005 is comprised of more than 50 percent of gasoline designated as GPA gasoline under §80.219(a) shall not be required to meet the corporate pool average standards under §80.195 for its gasoline production or imported gasoline during the applicable averaging period.

(g) A refiner or importer whose gasoline production or volume of imported gasoline in 2004 or 2005 is comprised of less than 50 percent of gasoline designated as GPA gasoline under §80.219(a) must meet the corporate pool average standards under §80.195 for all the refiner’s gasoline production or the importer’s volume of imported gasoline, including GPA gasoline, during the applicable averaging period.

§ 80.217  How does a refiner or importer apply for the GPA standards?

(a) To apply for the GPA standards under §80.216, a refiner or importer must submit an application in accordance with the provisions of §80.290.

(b) Applications under paragraph (a) of this section must be submitted by May 1, 2001.

(c)(1) If approved, EPA will notify the refiner or importer of each refinery’s or the importer’s annual average sulfur standard for gasoline produced for use in the GPA for the 2004 through 2006 annual averaging periods.

(2) If disapproved, the refiner or importer must comply with the standards in §80.195 for gasoline produced for use in the GPA.

(d) If EPA finds that a refiner or importer provided false or inaccurate information on its application under this section, upon notice from EPA, the refiner’s or importer’s application will be void ab initio.

§ 80.218  [Reserved]

§ 80.219  Designation and downstream requirements for GPA gasoline.

The requirements and prohibitions specified in this section apply during the period January 1, 2004 through December 31, 2006.